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August 7, 2019

VIA ECF

Hon. Judge Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

Re: EMI April Music Inc. v. West, Case No. 1:19-cv-02127-VEC

Dear Judge Caproni:

This responds to the August 6 letter from Plaintiff EMI's counsel to the Court in connection with its motion for a preliminary injunction to bar Defendants from continuing to pursue their rights as plaintiffs in the first-filed action pending in the Central District of California.

We are puzzled by how our responding to EMI's filings in that case, including its removal petition and its motion to dismiss the case or transfer it here, which the parties mentioned at the June 27, 2019 Case Management Conference, and to which we have a duty to file, threatens EMI with irreparable harm. Nor do we understand why EMI believes that its rights and preferences concerning the venue and law that should govern the dispute are not already squarely before the federal district courts in both New York and California, such that it was necessary for EMI to re-package these issues in the form of a motion for injunctive relief and generate further briefing and burdens on the Court. Nonetheless, to spare the Court additional briefing, we will address their arguments in our opposition to EMI's motion, due on August 14, 2019.

Respectfully submitted,

QUINN EMANUEL URQUHART & SULLIVAN, LLP

/s/ Crystal Nix-Hines
Crystal Nix-Hines

cc: all counsel of record

quinn emanuel urquhart & sullivan, llp

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